



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IGT,

Plaintiff,

-against-

HIGH 5 GAMES, LLC,

Defendant.

17-CV-9792 (ALC) (BCM)

IGT,

Plaintiff,

-against-

HIGH 5 GAMES, LLC,

Defendant.

19-CV-5752 (ALC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons stated on the record during the telephonic discovery conference on April 27, 2021, it is hereby ORDERED that:

1. Email Search Protocol

The parties are directed to promptly meet and confer in good faith as to the language to be included in the email search protocol and submit the stipulated proposed order no later than **May 4, 2021**. To the extent the parties cannot agree, they may file both versions, along with a redline comparing them, but without extended argument.

2. Notice re Special Master

It is the intent of the Court to appoint a special master, pursuant to Fed. R. Civ. P. 53(a)(1)(A) and (C), for the purpose of resolving the parties' discovery disputes, including those set forth in their joint letter dated April 22, 2021 (Dkt. No. 242 in Case No. 17-CV-9792 and Dkt. No. 100 in Case No. 19-CV-5752), and supervising the parties' fact discovery on an ongoing basis. No later than **May 4, 2021**, the parties shall submit a stipulated appointment order, in accordance with Fed. R. Civ. P. 53(b)(2). To the extent the parties cannot agree on the terms of the order, they may file both versions, along with a redline comparing them, but without extended argument. To the extent they cannot agree on the identity of the proposed master, each party may submit the names of up to three candidates, with copies of their resumes, but without extended argument. Conversely, if the parties

do agree on the identity of the proposed master, they shall also submit the affidavit required by Fed. R. Civ. P. 53(b)(3)(A).

3. H5G's 3rd Set of RFAs

IGT's deadline to respond to H5G's 3rd set of RFAs is extended for 30 days.

Dated: New York, New York
April 29, 2021

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge